

REMARKS

In the February 8, 2008 Office Action, claims 30-58 and 68 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the February 8, 2008 Office Action, Applicant has amended claims 30, 40, 49, and 58, and canceled claims 36-39, 45-48, and 54-57, as indicated above. Thus, claims 30-35, 40-44, 49-53, 58, and 68 are pending, with claims 30, 40, 49, and 58 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Interview Summary

On April 30, 2008, the undersigned conducted a personal interview with Examiner Annette F. Dixon, who is in charge of the above-identified patent application. Applicant wishes to thank Examiner Dixon for the opportunity to discuss the above-identified patent application during the Interview of April 30, 2008.

Rejections - 35 U.S.C. § 102

In items 2-4 of the Office Action, claims 30-58 and 68 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Publication No. 11-020787 (Furuta). In response, Applicant has amended independent claims 30, 40, 49, and 58, and canceled claims 36-39, 45-48, and 54-57..

In particular, Applicant has amended claim 1 to recite that the oxygen partial pressure calculating and monitoring unit is configured to make automatic switching from the first cylinder to the second cylinder impossible based on a result of calculating the oxygen partial pressure, upon a determination of a possibility of oxygen deficiency or oxygen poisoning in using the second cylinder.

Furuta was cited in the Office Action to show an information processing device for a diver with a first and second cylinders and an oxygen partial pressure calculating and monitoring unit.

It is stated in the Office Action that Applicant's use of a word "prohibit" extends to the advisement via notification such as a warning displayed on a device. As Applicant has amended, Applicant respectfully asserts that Furuta does not disclose with regards to making automatic switching from the first cylinder to the second impossible.

Applicant respectfully asserts that this structure is **not** disclosed or suggested by Furuta or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicant respectfully submits that claim 1, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

As claims 40, 49, and 58 have been similarly amended, Applicant respectfully assert that claims 40, 49, and 58 are allowable for the same or similar reasons stated above.

Moreover, Applicant believes that the dependent claims 31-35, 41-44, 50-53, 58, and 68 are also allowable over the prior art of record in that they depend from independent claims 30, 40, 49, and 58, and therefore are allowable for the reasons stated above. Also, the dependent claims 31-35, 41-44, 50-53, 58, and 68 are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not anticipate the independent claims 30, 40, 49, and 58, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

* * *

Appl. No. 10/730,257
Amendment dated May 8, 2008
Reply to Office Action of February 8, 2008

In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 30-35, 40-44, 49-53, 58, and 68 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

/Akiyoshi Onda/
Akiyoshi Onda
Limited Recognition No. L0336

GLOBAL IP COUNSELORS, LLP
1233 Twentieth Street, NW, Suite 700
Washington, DC 20036
(202)-293-0444
Dated: May 8, 2008

S:\05-MAY08-AOSE-US035180 Amendment .doc